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10 Attorneys for Plaintiff
11 CALIFORNIANS FOR
12 ALTERNATIVES TO TOXICS

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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 CALIFORNIANS FOR
18 ALTERNATIVES TO TOXICS,

19 Plaintiff,

20 vs.

21 SCHNEIDER DOCK & INTERMODAL
22 FACILITY, INC. and RYAN
23 SCHNEIDER,

24 Defendants,

Case No. 3:17-cv-05287-JST

**STIPULATION FOR LEAVE TO FILE
FIRST AMENDED COMPLAINT**

Hon. Judge Jon S. Tigar

25 Plaintiff Californians for Alternatives to Toxics ("Plaintiff") and Schneider Dock &
26 Intermodal Facility and Ryan Schneider ("Defendants") by and through their respective
27 counsel, hereby stipulate and agree as follows:

28 WHEREAS on July 13, 2017 Plaintiff provided David Schneider and Ryan
Schneider with Plaintiff's Notice of Violations and Intent to File Suit ("NOV");

WHEREAS on September 12, 2017 Plaintiff filed its Complaint in this matter
(Docket No. 1), setting forth causes of action under the Federal Water Pollution Control
Act, 33 U.S.C. §§ 1251 to 1387 against only Schneider Dock & Intermodal Facility, Inc.

1 and Ryan Schneider;

2 WHEREAS on October 30, 2017, Defendants filed with this Court (Docket No. 15)
3 their answer responding to the Complaint;
4

5 WHEREAS Plaintiff now seeks to amend the Complaint to include David Schneider
6 as an owner of the owner of Defendants' facility.

7 WHEREAS after a responsive pleading is filed, Federal Rule of Civil Procedure
8 15(a)(2) allows a party to amend its pleading only with the opposing party's written
9 consent or the court's leave.
10

11 The parties stipulate and agree as follows:

12 (1) Plaintiff may file a first amended complaint naming David Schneider as an
13 additional Defendant in this matter.
14

15 IT IS SO STIPULATED.

16 Dated: December 18, 2017

Respectfully Submitted,

17 LAW OFFICES OF ANDREW L. PACKARD

18 By: /s/ Andrew L. Packard
Andrew L. Packard
19 Attorneys for Plaintiff
20 CALIFORNIANS FOR
ALTERNATIVES TO TOXICS

21 Dated: December 18, 2017

CANNATA O'TOOLE FICKES ALMAZAN

22 By: /s/Therese Y. Cannata
Therese Y. Cannata
23 Attorneys for Defendants
24 SCHNEIDER DOCK & INTERMODAL
FACILITY and RYAN SCHNEIDER

25 **ATTESTATION FOR E-FILING**

26 I hereby attest pursuant to Civil L.R. 5-1(i) (3) that I have obtained concurrence in the
filing of this document from the other Signatory prior to filing.

27 DATED: December 18, 2017

By: /s/ Andrew L. Packard

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ORDER APPROVING STIPULATION

Good cause appearing to allow Plaintiff to file a first amended complaint, IT IS SO
ORDERED.

Dated: December 18, 2018



Jon S. Tigar
United States District Judge